

COLLECTION

TREATIES, &c.

Since the late Revolution.

VIZ.

The Grand Alliance between the Emperor, the King of England, and States General; with the Separate Article for securing the Spanish Succession to the Emperor and his Family. 1689

The Declaration of War against the French King. 1689

The Treaty at Rastock. 1697

The Treaty of Partition for dividing the Spanish Monarchy between the Electoral Prince of Bavaria. With the French King and Dauphin's Power relating thereunto. 1698

The Articles relating to the Elector of Bavaria, the French King, &c. 1698

The Treaty of Partition in favor of the Arch-Duke of Austria. 1698

Printed in the Year 1701.

COLLECTION

Several Treaties &c.

Since the late Revolution

W. A. N.

I. The Treaty of Commerce and Consulate between Great Britain and the Kingdom of Spain, signed at Madrid the 17th of December 1763.

II. The Treaty of Commerce and Consulate between Great Britain and the Kingdom of Portugal, signed at Lisbon the 25th of January 1763.

III. The Treaty of Commerce and Consulate between Great Britain and the Kingdom of France, signed at Paris the 29th of October 1763.

IV. The Treaty of Commerce and Consulate between Great Britain and the Kingdom of Prussia, signed at Berlin the 19th of December 1763.

V. The Second Treaty of Commerce and Consulate between Great Britain and the Kingdom of Spain, signed at Madrid the 17th of December 1763.

London, Printed in the Year 1764.

THE
EPISTLE.

SIR,

OF late the publick Treaties betwixt this Kingdom and others, have been the great Subject of Conversation; and as it generally falls out in such cases, Men differ'd very much in their Accounts of them, and in their Commentaries upon them: Some would not allow that there were any such things as Private Articles to any of these Treaties; and others fancied these Private Articles to contain the greatest and most important Secrets that ever were heard of. So that instead of the real Matters of Fact, we were imposed upon by the Humourists of all Parties, who were for commending or condemning things, as they thought they were for or against their own Interest. You know it was just so with the late Treaty of Partition, and therefore to undeceive you, I publish'd it as soon as I could get such a Copy of it from my Friend beyond Sea, as I could rely upon.

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The Epistle.

In answer to your Desire, I have done the like now by the other following Treaties, which my Friend assures me are as true and genuine as the former.

I hope they will set that Matter in a true Light, and enable those that delight in such Subjects, to discourse of them with more Truth and Judgment than most of our talkative Sparks have generally done of late. By this they will see how ill-grounded some mens Clamours have been against the two Houses for enquiring into these Matters, and how far on the other hand some mens ill Nature prompted them to aggravate things beyond all appearance of Truth. Since both Houses of Parliament, who must be own'd to have most right to do it, have given their Judgments of the Treaties of Partition, 'twere presumption for any particular Person to offer to say more; and it might be thought to deserve a harsher Name from any Man to say otherwise, and therefore you will allow me to fix a Period here as to that Matter.

'Twas also thought necessary to add to this Collection, their Majesties Declaration of War against France in May 1689, and the Treaty of Relswick, which brought that War to a conclusion in 1697. By this it will appear whether the observation of the Peace of Relswick, propos'd now by France as a sufficient Security for Europe, be really so or not; and whether there be any ground for the Suggestions of those Gentlemen, who are so good natur'd as to say, that they know nothing upon which we could found a Declaration of War against France. If they will give themselves leave to compare their Majesties Declaration of War
with

The Epistle.

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with the Treaty of Reswick, they will find that the French are still considerably in Arrears to us as to the Satisfaction of those Demands, which their new Treacheries give us ground to insist upon; and that they have contracted a much greater Debt since, for which they deserve to be called to an account, is evident by the following Instances.

1. Their chicaning with us, and our Allies, as to the performance of the Treaty of Reswick.

2. The Affronts they have put upon us, by engaging us in their Treaties of Partition, which they themselves never designed to perform, and have scandalously broke.

3. By their breaking the Ballance of Europe, in usurping the Monarchy of our Allies the Spaniards, contrary to the Treaty of the Pyrenees, and their King's Contract of Marriage.

4. Their depriving our Ally, the Emperor, of his Right of Succession to that Crown, which we are obliged to defend by the Separate Article of the Grand Alliance.

5. Their huffing Memorials to our Allies the Dutch, and their advancing against them with their Troops, and raising Fortifications upon their Frontiers; which puts us to the trouble and expence of assisting the Dutch with 10000 Landmen, and 20 Men of War, according to the Treaty of 1677, the present necessity of which is own'd both by King and Parliament:

6. The seizing of Flanders by the French, which deprives us, and our Allies the States, of that which was always accounted our natural Barrier; so that the seizing of some Towns there was judg'd by the Parliament to be a good Cause of War in King Charles the Second's Reign.

7. The

7. The French King taking upon him the Administration of the Spanish Government, contrary to the pretended Will of the late King of Spain, tho it be the best Tenure by which his Grandson holds his Crown. This is likewise contrary to all the Treaties betwixt France and Spain, wherein 'tis expressly declar'd, That the Union of the two Crowns is inconsistent with the welfare of the respective Kingdoms, and with the safety of Europe. Which is every whit as strong, or rather stronger against their being under one Administration, because it must needs be more fatal to Spain.

8. The great Preparations that the French King makes to interrupt our Commerce to the Straits and elsewhere, and his palpable Designs of enslaving all Europe.

I shall add no more, but that as it is undoubtedly against the Interest of all Christendom, that a French Prince should enjoy the Throne of Spain; It reflects a peculiar Dishonour upon England to join with France in owning a Title to that Crown by Female Descent, since the French will not allow the Right of our Kings to the Crown of France by the like Title, tho the Daughter of France who was Queen of England, never renounc'd her Right to the Succession of France, as the Infanta renounc'd hers, to the Crown of Spain.

I am, SIR, &c.

May 10. 1701.

The

*The Grand Alliance betwixt the Emperor and the
States General, concluded at Vienna, May
12, 1689. Whereinto his Majesty of
Great Britain entred, Decemb. 9. 1689.
Together with the Separate Article.*

WILLIAM the Third by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and every one to whom these Presents shall come, Greeting. Whereas a certain Treaty of Friendship and stricter Alliance between the most Serene, most Potent, and most Invincible Prince and Lord *Leopold*, by the Grace of God, elect *Roman* Emperor, always August, and of *Germany, Hungary, Bohemia, Dalmatia, Croatia, Slavonia, &c.* King, &c. and the High and Mighty Lords the States General of the *United Provinces*, was made and concluded at *Vienna* the 12th Day of *May* last past on the Emperor's part, by *Leopold William* Count of *Konigsegg* Vice-Chancellor of the Empire, &c. and *Theodore Althete Henry* Count of *Stratman* Chancellor of the Court, His Imperial Majesty's Plenipotentiaries and Counsellors of State: And on the part of the States General, by *Jacob Hop*, Counsellor and Recorder of the City of *Amsterdam*, and Deputy for *Holland* and *Westfrizeland* in the Assembly of the States General. The Tenor of which Treaty is as followeth.

BE it known and declared, that altho the Treaty concluded at the *Hague* a few Years since between his Sacred Imperial Majesty

Majesty and the High and Mighty Lords the States General of the *United Provinces* for their mutual Defence, does yet remain in its full Vigour ; nevertheless both his Imperial Majesty, and the said States General considering the Greatness of the common Danger which threatens all Christendom since the last *French* Invasion, and the unconstant Faith of the *French* in the observance of Treaties, have judged it necessary to strengthen the Conditions of the aforesaid Treaty, and the former Union, with stricter and firmer Ties ; and at the same time to consider of more effectual Means, as well for restoring as preserving the publick Peace and Safety : And therefore the Plenipotentiaries constituted to that purpose by both Parties, *viz.* by his Imperial Majesty, his Counsellors of State, *Leopold William* Count of *Konigsegg* Vice-Chancellor of the Empire, &c. and *Theodore Albete Henry*, Count of *Stratman*, Chancellor of the Court ; and by the States General, *Jacob Hop* Counsellor and Recorder of the City of *Amsterdam*, and Deputy for *Holland* and *Westfriesland* in the Assembly of the States General, after the mutual Exchange of their full Powers, have covenanted and agreed in the Manner following.

I.

There shall be and remain for ever a constant perpetual and inviolable Friendship and good Correspondence between his Imperial Majesty and the States General ; and each of them shall be obliged earnestly to promote the others Interests, and as much as in them lies to prevent all Damages and Inconveniences to them.

II.

And whereas the *French* King has lately, without any lawful Cause or Pretext, attack'd, as well his Imperial Majesty as the States General, by a most grievous and most unjust War, there shall be during the same not only a Defensive, but also an Offensive Alliance between the contracting Parties, by virtue whereof they shall both of them act in a hostile manner with all their Forces by Sea and Land against the said *French* King, and such of his Allies as upon Exhortation to be used for that purpose shall refuse to separate themselves

themselves from him, and they shall also communicate to one another their Advices for the more usefully contriving the Actions of the War, either jointly or separately, for the Destruction of the common Enemy.

III.

It shall not be lawful for either Party to withdraw from this War with *France*, or to enter separately upon any Convention, Treaty of Peace, or Cessation of Arms with *France*, and its Adherents, upon any Pretext whatsoever, without the Consent and Concurrence of the other Party.

IV.

There shall by no means any Peace be concluded before the Peace of *Westphalia* and those of *Osnabrug*, *Munster*, and the *PROTESTANTS*, have, by the help of God, and by common Force, been vindicated: And that all things both in Church and State are restored to their former Condition according to the Tenor of the same.

V.

In case any Negotiations of Peace or Truce shall, by common Consent, be entred into, all things that are transacted shall on both sides be communicated, *bona fide*; nor shall one conclude any thing without the Consent and Satisfaction of the other.

VI.

After the present War, by common consent, shall be ended, and a Peace concluded, there shall remain between his Sacred Imperial Majesty, his Heirs and Successors, and the States General of the *United Provinces*, a perpetual defensive Alliance against the often mentioned Crown of *France* and its Adherents, by virtue whereof both Parties shall use their utmost Endeavours that the Peace to be made may remain firm and perpetual.

VII.

But if it should happen that the Crown of *France* should again attack one or both of the Confederate Parties, contrary to the said Peace, at what time soever this shall be done, they shall be obliged

faithfully to assist each other with all their Forces, and in the same manner as now, both by Sea and Land, and to repel all manner of Hostility and Violence, and not to desist till all things are brought again into their former state, according to the Conditions of the aforesaid Peace, and that Satisfaction be given to the Party offended.

VIII.

Further, his Imperial Majesty, and the States General shall at all times, and by all means, and with all their Forces, protect and defend all the Rights of each other against the Crown of *France* and its Adherents; nor shall they themselves do any prejudice to each other in their said Rights.

IX.

If there are any Controversies between the contracting Parties on occasion of the Limits of their Dominions, or that any such should arise hereafter, they shall be accommodated and composed in a friendly manner, either by a Commission, or Ministers deputed by both Sides, without making use of any manner of Force, and in the mean time nothing shall be innovated therein.

X.

There shall be invited into the Society of this present Treaty by his Imperial Majesty the Crown of *Spain*, and by the States General the Crown of *England*; and there shall be likewise admitted into the same all the Allies and Confederates of either Party who shall think fit to enter into the same.

XI.

This Treaty shall be ratified by both Sides within the space of four weeks, or sooner if it may be.

In witness whereof, and for a greater confirmation of the Credit and Sincerity hereof, there are two Instruments of the same Tenour made, and Signed, and Sealed by the Plenipotentiaries of both Parties, and reciprocally exchanged.

Done

Done at *Vienna* the 12th of *May*, 1689.

(L S) *Leopold William* Count of *Konigsegg*.

(L S) *T. A. Henry* Count of *Stratman*.

(L S) *J. Hop*.

Whereas the High and Mighty Lords, the States General of the *United Provinces*, have sent to us their Ambassadors Extraordinary, Copys of the Alliance lately concluded with his Sacred Imperial Majesty, to the end that we should in their Name invite the King of *Great Britain* to enter into this Alliance, we the under written Ambassadors Extraordinary do declare, That these are true and accurate Copies of those that were sent us; for the Confirmation whereof we have made this Declaration $\frac{1}{2}$ September, 1689.

A Schimmelpeninck.

N. Witsen.

Vander Oge.

Arnoult Van Citters.

De Weede.

And Whereas the States General have, by their Ambassadors Extraordinary, invited us by virtue of the tenth Article, to enter into the Alliance of the aforesaid Treaty; We who desire nothing more than to lay hold of all those Means which are necessary and most useful for restoring and preserving the publick Peace and Quiet, do the more readily come into the same, that we may give this proof of our Sincere Affection and Friendship for his Imperial Majesty, and the said States General. Know ye therefore, that we having perused, and maturely considered the said Treaty, have accepted, approved, and ratified, as we do by these Presents, for Us our Heirs and Successors, accept, approve, and ratifie the same, together with all and every Article thereof, engaging, and upon the Word of a King promising, that we will religiously and inviolably observe and perform the said Treaty, without violating it in any Article, or suffering it to the utmost of our Power to be violated. Provided always that his Sacred Imperial Majesty, and the said

said States General do admit Us into the said Treaty, and give and deliver to Us the Necessary Instruments respectively drawn up in the best manner. In further Witness and Testimony whereof, we have caused our Great Seal of *England* to be affixed to these Presents. Signed with our Hand. Given at our Court at *Hampton Court*, the 9th day of *December*, in the Year of our Lord, as above, 1689. and of our Reign the first.

WILLIAM R.

Separate Article.

FRANCE having openly declared, in several Places and Courts, that notwithstanding the most solemn Renunciation, they still pretend by force of Arms to assert for the Dauphin the Succession of the Spanish Monarchy, in case his Catholick Majesty should die without lawful Issue, and publicly aiming to make the said Dauphin King of the Romans: The States General of the United Provinces maturely considering what a Blow either of these Pretensions would give to their State, and what Prejudice it would bring to the Publick Affairs and Quiet, Do promise by these Separate Articles, which are as valid as if they had been inserted word for word in the Principal Treaty; first, That in case the present King of Spain should die without lawful Issue (which God forbid) they will, with all their Forces, assist his Sacred Imperial Majesty or his Heirs, in taking the Succession of the Spanish Monarchy, lawfully belonging to that House, together with its Kingdoms, Provinces, Dominions, and Rights, and in their obtaining and securing the quiet possession thereof against the French and their Adherents, who shall directly or indirectly oppose this Succession, and with Force repulse the Force they bring against them.

They will likewise use all friendly Offices and Endeavours with the Princes Electors of the Empire their Confederates, that the
most

most Serene *Joseph* King of *Hungary*, his Imperial Majesty's eldest Son, may be speedily chosen King of the *Romans*: And if *France* should by Threats or Arms hinder, oppose, or any way disturb this Election, they will in opposition thereto assist his Sacred Imperial Majesty with their utmost Force.

The Crown of *England* shall be likewise invited to enter into the Agreement of these Articles, made at *Vienna* the 12th of *May*, 1689.

Signed,

(L S) *T. A. Henry Comes de Stratman.*

(L S) *J. Hop.*

Whereas the High and Mighty Lords, the States General of the *United Provinces*, have sent to us their Ambassadors Extraordinary Copies of the Separate Articles of the Treaty lately concluded with his Sacred Imperial Majesty, to the end that we should in their Name invite the King of *Great Britain* to enter into this Alliance, We the underwritten Ambassadors Extraordinary do declare, that these are true and accurate Copies of the Separate Articles of the aforesaid Treaty. For the confirmation whereof we have made this Declaration $\frac{1}{2}$ September, 1689.

A. Schimmelpeninck.
Vander Oge.
Arnoul Van Citters.

N. Witsen. W. de Nassau.
De Weede.

These Separate Articles were ratified in the same manner as the Treaty.

Their

Their Majesties Declaration of War against the French King.

WILLIAM R.

IT having pleased God to make Us the happy Instrument of Rescuing these Nations from great and imminent Dangers, and to place Us upon the Throne of these Kingdoms, we think our selves obliged to endeavour to the uttermost to promote the Welfare of our People, which can never be effectually secured, but by preventing the Miseries that threaten them from abroad.

When we consider the many unjust Methods the *French King* hath of late years taken to gratifie his Ambition, that he has not only invaded the Territories of the Emperor, and of the Empire, now in Amity with us, laying waste whole Countries, and destroying the Inhabitants by his Armies, but declared War against our Allies without any Provocation, in manifest Violation of the Treaties confirmed by the Guaranty of the Crown of *England*; We can do no less than join with our Allies in opposing the Designs of the *French King*, as the Disturber of the Peace, and the common Enemy of the Christian World.

And besides the Obligations we lie under by Treaties with our Allies, which are a sufficient Justification of Us for taking up Arms at this time, since they have called upon us so to do, the many Injuries done to Us and to our Subjects, without any Reparation, by the *French King*, are such, that (however of late years they were not taken notice of, for Reasons well known to the World) nevertheless we will not pass them over without a publick and just Resentment of such Outrages.

It is not long since the *French* took Licences from the *English* Governour of *Newfound-land*, to Fish in the Seas upon that Coast, and paid a Tribute for such Licences, as an Acknowledgment of the sole Right of the Crown of *England* to that Island; and yet of late the Encroachments of the *French* upon our said Island, and our Subjects Trade and Fishery, have been more like the Invasions of an
Enemy,

Enemy, than becoming Friends, who enjoy'd the advantages of that Trade only by Permission.

But that the *French* King should invade our *Caribbee* Islands, and possess himself of our Territories of the Province of *New-York* and of *Hudson's Bay*, in a hostile manner seizing our Forts, burning our Subjects Houses, and enriching his people with the spoil of their Goods and Merchandizes, detaining some of our Subjects under the Hardship of Imprisonment, causing others to be inhumanely kill'd, and driving the rest to Sea in a small Vessel, without Food or Necessaries to support them, are Actions not becoming even an Enemy; and yet he was so far from declaring himself so, that at that very time he was negotiating here in *England* by his Ministers a Treaty of Neutrality and good Correspondence in *America*.

The Proceedings of the *French* King against our Subjects in *Europe*, are so notorious, that we shall not need to enlarge upon them; his countenancing the Seizure of *English* Ships by *French* Privateers, forbidding the Importation of a great part of the Product and Manufactures of our Kingdom, and imposing exorbitant Customs upon the rest, notwithstanding the vast Advantage he and the *French* Nation reap by their Commerce with *England*, are sufficient Evidences of his Designs to destroy the Trade, and consequently to ruin the Navigation, upon which the Wealth and Safety of this Nation very much depends.

The Right of the Flag, inherent in the Crown of *England*, has been disputed by his Orders in Violation of our Sovereignty of the Narrow Seas, which in all Ages has been asserted by our Predecessors, and we are resolv'd to maintain, for the Honour of our Crown, and of the *English* Nation.

But that which must nearly touch us, is his unchristian Prosecution of many of our *English* Protestant Subjects in *France*, for Matters of Religion, contrary to the Law of Nations, and express Treaties, forcing them to abjure their Religion by strange and unusual Cruelties, and imprisoning some of the Masters and Seamen of our Merchants Ships, and condemning others to the Gallies, upon pretence

of having on Board, either some of his own miserable Protestant Subjects, or their Effects. And lastly, as he has for some years last past, endeavoured by Insinuations and Promises of Assistance, to overthrow the Government of *England*; so now by open and violent Methods, and the actual Invasion of Our Kingdom of *Ireland*, in support of our Subjects in Arms and in Rebellion against Us, he is promoting the utter Extirpation of our good and loyal Subjects in that our Kingdom.

Being therefore thus necessitated to take up Arms, and relying on the Help of Almighty God in our just Undertaking, We have thought fit to Declare and do hereby Declare War against the *French King*, and that We will, in Conjunction with our Allies, vigorously prosecute the same by Sea and Land (since he hath so unrighteously begun it) being assured of the hearty Concurrence and Assistance of our Subjects in support of so good a Cause; hereby willing and requiring our General of our Forces, our Commissioners for executing the Office of High Admiral, our Lieutenants of our several Counties, Governours of our Forts and Garisons, and all other Officers and Soldiers under them by Sea and Land, to do, and execute all acts of Hostility in the Prosecution of this War against the *French King*, his Vassals and Subjects, and to oppose their Attempts: Willing and Requiring all our Subjects to take notice of the same, whom we henceforth strictly forbid to hold any Correspondence or Communication with the said *French King*, or his Subjects. And because there are remaining in our Kingdoms many of the Subjects of the *French King*, We do Declare and give our Royal Word, That all such of the *French Nation* as shall demean themselves dutifully towards us, and not correspond with our Enemies, shall be safe in their Persons and Estates, and free from all molestation and trouble of any kind.

Given at our Court at Hampton-Court the 7th day of May, 1689.
in the first Year of our Reign.

God save King William and Queen Mary.

ART I.

ARTICLES of PEACE

Between the most Serene and Mighty Prince WILLIAM the Third King of Great Britain, and the most Serene and Mighty Prince LEWIS the Fourteenth the most Christian King, concluded in the Royal Palace at Ryswicke the 11 day of September, 1697.

I.

THAT there be an Universal Perpetual Peace, and a True and Sincere Friendship between the most Serene and Mighty Prince *WILLIAM* the Third King of *Great Britain*, and the most Serene and Mighty Prince *LEWIS* the Fourteenth the most Christian King, Their Heirs and Successors, and between the Kingdoms, States and Subjects of Both, and that the same be so Sincerely and Inviolably Observed and Kept, that the One shall promote the Interest, Honour, and Advantage of the Other, and that on both sides a Faithful Neighbourhood and true Observation of Peace and Friendship may daily Flourish and Encrease.

II.

THAT all Enmities, Hostilities, Discords, and Wars, between the said King of *Great Britain* and the most Christian King, and Their Subjects, Cease and be Abolished, so that on both sides They Forbear and Abstain hereafter from all Plundring, Depredation, Harm-doing, Injuries, and Infestation whatsoever, as well by Land as by Sea, and on Fresh Waters, every where; and especially throughout all the Kingdoms, Territories, Dominions, and Places, belonging to each other, of what Condition soever they be.

III.

THAT all Offences, Injuries, Damages, which the said King
C 2 of

of *Great Britain* and His Subjects, or the said most Christian King and His Subjects have suffered from each other during this War, shall be forgotten ; so that neither on Account of them, or for any other Cause or Pretence, neither Party, or the Subjects of either, shall hereafter do, cause or suffer to be done any Hostility, Enmity, Molestation, or Hindrance to the other, by himself or others, Secretly or Openly, Directly or Indirectly, by Colour of Right or Way of Fact.

IV.

A N D since the most Christian King was never more desirous of any thing, than that the Peace be Firm and Inviolable, the said King Promises and Agrees for Himself and His Successors, That He will on no Account whatsoever disturb the said King of *Great Britain* in the free Possession of the Kingdoms, Countries, Lands or Dominions Which He now Enjoys, and therefore Engages His Honour, upon the Faith and Word of a King, that He will not give or afford any Assistance, directly or indirectly, to any Enemy or Enemies of the said King of *Great Britain*; And that He will in no manner whatsoever favour the Conspiracies or Plots which any Rebels, or ill-disposed Persons, may in any Place Excite or Contrive against the said King ; And for that End Promises and Engages, That he will not Assist with Arms, Ammunition, Ships, Provisions or Money, or in any other way, by Sea or Land, any Person or Persons, who shall hereafter, under any pretence whatsoever, Disturb or Molest the said King of *Great Britain* in the free and full Possession of His Kingdoms, Countries, Lands and Dominions. The King of *Great Britain* likewise Promises and Engages for Himself and Successors, Kings of *Great Britain*, That He will Inviolably Do and Perform the same towards the said most Christian King, His Kingdoms, Countries, Lands and Dominions.

V.

T H A T there be a free use of Navigation and Commerce between the Subjects of both the said Kings, as was formerly in the time of Peace, and before the Declaration of the late War, so that every

every one of them may freely come into the Kingdoms, Marts, Ports and Rivers of either of the said Kings with their Merchandises, and may there Continue and Trade without any Molestation, and shall Use and Enjoy all Liberties, Immunities and Privileges granted by Solemn Treaties, and Antient Custom.

VI.

THAT the Ordinary Administration of Justice shall be Restored and Set open, throughout the Kingdoms and Dominions of both Kings, so that it shall be Free for all the Subjects of Either to Claim and Obtain their Rights, Pretensions and Actions, according to the Laws, Constitutions and Statutes of each Kingdom.

VII.

THE Most Christian King shall restore to the said King of *Great Britain*, all Countries, Islands, Forts and Colonies wheresoever Situated, which the *English* did Possess before the Declaration of this present War; and in like manner the King of *Great Britain* shall Restore to the most Christian King all Countries, Islands, Forts and Colonies wheresoever Situated, which the *French* did Possess before the said Declaration of War. And this Restitution shall be made on both Sides, within the Space of Six Months, or sooner if it can be done. And to that end immediately after the Ratification of this Treaty, each of the said Kings shall Deliver, or cause to be Delivered to the other, or to Commissioners Authorized in His Name for that Purpose, all Acts of Concession, Instruments, and necessary Orders, duly Made and in proper Form; so that they may have their Eff. &c.

VIII.

COMMISSIONERS shall be appointed on both sides, to Examine and Determine the Rights and Pretensions which either of the said Kings hath to the Places Situated in *Hudsons-Bay*; But the Possession of those Places which were taken by the *French*, during the Peace that preceded this present War, and were retaken by the *English* during this War, shall be left to the *French*, by virtue of the foregoing Article. The Capitulation made by the *English* on the

the Fifth of *September*, 1696. shall be Observed, according to its Form and Tenor ; Merchandises therein mentioned shall be restored ; The Governour of the Fort taken there shall be set at Liberty, if it be not already done ; The Differences arisen concerning the Execution of the said Capitulation, and the Value of the Goods there lost, shall be adjudged and determined by the said Commissioners ; who immediately after the Ratification of the present Treaty, shall be Invested with sufficient Authority for settling the Limits and Confines of the Lands to be restored on either side, by virtue of the foregoing Article, and likewise for exchanging of Lands, as may conduce to the mutual Interest and Advantage of both Kings.

And to this end the Commissioners, so appointed, shall within the space of Three Months from the time of the Ratification of the present Treaty, meet in the City of *London*, and within Six Months, to be reckoned from their First Meeting, shall Determine all Differences and Disputes which may arise concerning this matter : After which, the Articles the said Commissioners shall Agree to, shall be Ratified by both Kings, and shall have the same Force and Vigour, as if they were inserted Word for Word in the present Treaty.

IX.

ALL Letters, as well of Reprisal as of Marque and Counter-Marque, which hitherto have for any cause been granted on either side, shall be, and remain Null and Void : Nor shall any the like Letters be hereafter granted by either of the said Kings against the Subjects of the Other, unless it be first made manifest, that Right hath been denied ; and it shall not be taken for a denial of Right, unless the Petition of the Person, who desires Letters of Reprisal to be granted to him, be first shewn to the Minister, residing there on the part of the King, against whose Subjects those Letters are desired ; That within the space of Four Months or sooner, he may inquire into the contrary, or procure that satisfaction be made with all speed from the Party offending, to the Complainant. But if the
King

King against whose Subjects Reprisals are demanded, have no Minister residing there, Letters of Reprisal shall not be granted till after the space of Four Months, to be reckoned from the day on which his Petition was made and presented to the King, against whose Subjects Reprisals are desired, or to his Privy Council.

X.

FOR cutting off all Matter of Dispute and Contention, which may arise concerning the Restitution of Ships, Merchandises, and other Moveable Goods, which either Party may complain to be taken and detained from the other, in Countries, and on Coasts far distant, after the Peace is concluded, and before it be notified there; All Ships, Merchandises, and other Moveable Goods, which shall be taken by either side, after the Signing and Publication of the present Treaty, within the space of Twelve Days in the *British* and *North Seas*, as far as the *Cape St. Vincent*; Within the space of Ten Weeks beyond the said *Cape*, and on this side of the *Equinoctial Line* or *Equator*, as well in the *Ocean* and *Mediterranean Sea* as elsewhere; Lastly, Within the space of Six Months beyond the said *Line* throughout the whole *World*, shall belong and remain unto the Possessors, without any Exception or further Distinction of Time or Place, or any Consideration to be had of Restitution or Compensation.

XI.

BUT if it happens through Inadvertency or Imprudence, or any other Cause whatever, that any Subject of either of the said Two Kings, shall do or commit any thing by Land or Sea, or on Fresh Water, any where, contrary to the present Treaty, or that any Particular Article thereof is not Fulfilled; This Peace and good Correspondence between the said Two Kings shall not on that Account be Interrupted or Infringed, but shall remain in its former Force, Strength and Vigour, and the said Subject only shall Answer for his own Fact, and undergo the Punishment to be Inflicted, according to the Custom and Law of Nations.

XII. BUT

XII.

BUT if (which God forbid) the Differences now Composed between the said Kings should at any time be renewed, and break out into open War, the Ships, Merchandises and all kind of Moveable Goods of either Party, which shall be found to be and remain in the Ports and Dominions of the Adverse Party, shall not be Confiscated or brought under any Inconveniency, but the whole space of Six Months shall be allowed to the Subjects of both of the said Kings, that they may carry away and transport the foresaid Goods, and any thing else that is theirs, whither they shall think fit, without any Molestation.

XIII.

FOR what concerns the Principality of *Orange*, and other Lands and Dominions belonging to the said King of *Great Britain*; The separate Article of the Treaty of *Nimeguen*, concluded between the most Christian King and the States General of the United Provinces the 10th day of *August* 1678. shall according to its Form and Tenor, have full Effect, and all things that have been Innovated and Altered, shall be restored as they were before. All Decrees, Edicts, and other Acts, of what kind soever they be, without exception, which are in any manner contrary to the said Treaty, or were made after the conclusion thereof, shall be held to be null and void, without any revival or consequence for the future: And all things shall be restored to the said King in the same state, and in the same manner, as he held and enjoyed them before he was dispossessed thereof in the time of the War, which was ended by the said Treaty of *Nimeguen*, or which he ought to have held and enjoyed according to the said Treaty. And that an end may be put to all Trouble, Differences, Processes and Questions, which may arise concerning the same, Both the said Kings will name Commissioners, who with full and summary Power may compose and settle all these matters. And forasmuch as by the Authority of the most Christian King, the King of *Great Britain* was hindred from enjoying the Revenues, Rights and Profits, as well of His Principality

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of *Orange* as of other His Dominions, which after the conclusion of the Treaty of *Nimeguen*, until the Declaration of the present War, were under the Power of the said most Christian King, the said most Christian King will Restore, and cause to be Restored in reality, with Effect, and with the Interest due, all those Revenues, Rights and Profits, according to the Declarations and Verifications that shall be made before the said Commissioners.

XIV.

THE Treaty of Peace Concluded between the most Christian King, and the late Elector of *Brandenburg* at *St. Germain's in Laye* the 29 *June*, 1679. shall be Restored in all its Articles, and remain in its former Vigour between His Sacred Most Christian Majesty and His Electoral Highness of *Brandenburg*.

XV.

WHEREAS 'twill greatly conduce to the publick Tranquillity that the Treaty be observed, which was concluded between His Sacred most Christian Majesty and His Royal Highness of *Savoy*, on the Ninth of *August*, 1696. 'tis Agreed that the said Treaty shall be confirmed by this Article.

XVI.

UNDER this present Treaty of Peace shall be comprehended those who shall be named by either Party, with common consent, before the Exchange of Ratifications, or within Six Months after. But in the mean time, the most Serene and Mighty Prince *WILLIAM* King of *Great Britain*, and the most Serene and Mighty Prince *LEWIS* the most Christian King, gratefully acknowledging the Sincere Offices and Indefatigable Endeavours, which have been employed by the most Serene and Mighty Prince *Charles* King of *Sueden*, by the Interposition of His Mediation, in bringing this Happy Work of the Peace, with the Divine Assistance, to the desired Conclusion; And to shew the like Affection to him, 'tis by consent of all Parties Stipulated and Agreed, That His said Sacred Royal Majesty of *Sueden*, shall with all His Kingdoms, Countries, Provinces and Rights, be included in this Treaty, and comprehended

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in the best manner in the present Pacification.

XVII.

LASTLY, The Solemn Ratifications of this present Agreement and Alliance made in due Form, shall be delivered on both sides, and mutually and duly Exchanged at the Royal Palace of *Ryswicke*, in the Province of *Holland*, within the space of Three Weeks, to be reckoned from the Day of the Subscription, or sooner if it may be.

In Testimony of all and every the things before mentioned, and for their greater Force, and to give them all the Vigour and full Authority they ought to have, the Underwritten Ambassadors Extraordinary and Plenipotentiaries, together with the Illustrious and most Excellent the Extraordinary Ambassador Mediator, have Signed and Sealed the present Instrument of Peace. *Done, &c.*

*Signed by the English and French Ambassadors,
and by the Mediator.*

Separate Article.

BESIDES all that is Concluded and Stipulated by the Treaty of Peace Signed this present day, the 20th of *September*, It is moreover agreed by the present Separate Article, which shall have the same Force and Effect as if it was inserted word for word in the said Treaty, That the most Christian King shall Covenant and Agree, and by the present Article He does Covenant and Agree, That it shall be free for the Emperor and the Empire, until the First day of *November* next, to accept the Conditions of Peace lately proposed by the most Christian King, according to the Declaration made on the First day of this present Month, unless in the mean time it shall be otherwise agreed between His Imperial Majesty and the Empire, and His most Christian Majesty. And in case

case His Imperial Majesty does not within the time prefixed accept those Conditions, or that it be not otherwise agreed between His Imperial Majesty and the Empire, and His most Christian Majesty, the said Treaty shall have its full Effect, and be duly put in Execution according to its Form and Tenor; And it shall not be lawful for the King of *Great Britain*, directly or indirectly, on any account or cause whatsoever, to act contrary to the said Treaty.

The French King's Treaty made with the King of England, relating to the Settlement of the Succession of Spain on the Electoral Prince of Bavaria, on condition that Naples, Sicily, Guipuscoa, &c. be granted to the Dauphin (which is commonly called The First Treaty of Partition) concluded August 19. 1698.

LEWIS by the Grace of God, King of *France* and *Navarre*,
 To all who shall see these Presents, Greeting. Having seen and examined the Treaty which our dear and well-beloved the Count *de Tallard*, Lieutenant General of our Armies, and of our Province of *Dauphiny*, and our Ambassador Extraordinary in *England*, by virtue of the full Power which We had given him for that purpose, hath concluded, made, and signed, in our Names, at the *Hague*, the 11th of *October* last, with *William de Benting* Earl of *Portland*, Knight of the Order of the Garter, Privy Counsellor to Our most dear and most beloved Brother, the King of *Great Britain*, first Gentleman of his Bed Chamber, and General of his Horse; and Sir *Joseph Williamson* Kt. Privy-Counsellor also to Our said Brother, and Keeper of the Papers of State; in like manner
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provided with full Powers from Our said Brother, of which Treaty the Tenour is as follows.

BE it known unto all who shall see these Presents, That the most Serene and most mighty Prince *Lewis* the 14th, by the Grace of God, the most Christian King of *France* and *Navarr*; and the most Serene and most mighty Prince *William* the 3^d, likewise by the Grace of God, King of *Great Britain*; and the States General of the *United Provinces* of the *Netherlands*, desiring nothing more heartily than to strengthen by new Engagements the good Intelligence re-established between his most Christian Majesty, his Majesty of *Great Britain*, and the said States General, by the last Treaty concluded at *Ryswick*; and to prevent, by Measures taken in time, the Events that might raise new Wars in *Europe*, Have to that end given their full Powers for agreeing upon a new Treaty; to wit, his said most Christian Majesty to the Count *de Tallard*, Lieutenant General of his Armies, and of his Province of *Dauphiny*, and his Ambassador Extraordinary in *England*: His said *Britannick* Majesty to *William de Benting* Earl of *Portland*, Knight of the Order of the Garter, Privy Counsellor to the King of *Great Britain*, his first Gentleman of his Bed Chamber, and General of his Horse; and to Sir *Joseph Williamson* Kt. likewise Privy Counsellor to the said King, and Keeper of the Papers of State: And the said States General to the Sieurs *Francis Verbolt* Senator and Burgomaster of the Town of *Nimeghen*, Post-Master General in the Dutchy of *Guelderland*, County of *Zutphen*, and other places; *Frederick Baron de Reede*, Lord of *Lier*; Sir *Anthony Terlee*, &c. Commander of *Buren*, and of the Order of the Nobility of *Holland* and *West-friezland*; *Anthony Heinsius* Counsellor, Pensionary, Keeper of the Great Seal, and Superintendent of the Fiefs of the same Province of *Holland* and *Westfriezland*; *John Beeker* antient Senator and Burgomaster of the Town of *Middleburgh*; *John Vander Does* Lord of *Berge-stein*, of the Order of the Nobility of the Province of *Utrecht*; *William Vanbaren* formerly Grietman of the *Bilt*, Deputy from the Nobility

Nobility to the States of *Friezland*, and Curator of the University of *Franeker*; *Arnold Lemker* Burgomaster of the Town of *Deventer*; and *John de Drews*: All Deputies in the Assembly of the said States General, from the Provinces of *Guelderland*, *Holland* and *Westfriezland*, *Zealand*, *Utrecht*, *Friezland*, *Overyssel*, and *Groningen* and *Omland*: Who by virtue of the said Powers have agreed upon the Articles following.

1. **T**HE Peace re-established by the Treaty of *Ryswick*, between the most Serene and most mighty Prince *Lewis* the 14th, the most Christian King of *France* and *Navarr*; the most Serene and most mighty Prince *William* the 3^d, King of *Great Britain*, and the States General of the United Provinces of the *Netherlands*, their Heirs and Successors, their Kingdoms, States, and Subjects, shall be firm and lasting; and their Majesties and the said States General, shall reciprocally do every thing that may contribute to the Benefit and Advantage one of the other.

2. As the chief Aim which his said most Christian Majesty, and his said Majesty of *Great Britain*, and the said States General, do propose to themselves, is the maintaining the general Tranquillity of *Europe*; they have not been able to see, without grief, how the King of *Spain*'s state of Health is of late become so languishing, that there is all the Reason in the world to fear that that Prince cannot have long to live. Now altho they are not able to turn their Thoughts towards that Event without affliction, because of the true and sincere Friendship they have for him; yet they have judged it to be so much the more necessary to look forwards upon the same, because his Catholick Majesty having no Issue, the Succession coming to fall, would infallibly occasion a new War, if the most Christian King should maintain his Pretensions, or those of the Dauphin, to the whole Succession of *Spain*; if the Emperor should likewise support his Pretensions, those of the King of the *Romans*, the Arch-Duke his second Son, or his other Children; and the Elector of *Bavaria*, those of the Prince Electoral his eldest Son to the said Succession.

3. And

3. And whereas the two Kings, and the States General desire, above all things, the preservation of the publick Quiet, and the avoiding a new War in *Europe*, by accommodating the Disputes and Differences that might arise on account of the said Succession, or by reason of the Umbrage from two many Dominions being united under one Prince, they have thought good to take before-hand the necessary measures for preventing the Calamities which the said Accident of the Death of the Catholick King without Issue might produce.

4. Therefore it hath been stipulated and agreed, That the said Case happening, the most Christian King, as well in his own Name, as in that of the Dauphin, his Children, Male or Female, Heirs and Successors born, and to be born; as likewise the said Dauphin for himself, his Children, Male and Female, Heirs and Successors, born, and to be born, shall hold themselves satisfied, as they do by these Presents hold themselves satisfied, That the said *Dauphin* have for his Share in full propriety, plenary possession, and extinction of all his Pretensions to the Succession of *Spain*, to have and enjoy the same to him, his Heirs and Successors, born, and to be born, for ever, without being ever molested on any Pretence whatsoever, of Rights or Claims, directly or indirectly, even by Cession, Appeal, Revolt, or otherwise, on the part of the Emperor, the King of the *Romans*, the Arch-Duke *Charles* his second Son, his other Children, Male or Female, and Descendants, his Heirs and Successors, born, and to be born; or in like manner on the part of the Elector of *Bavaria*, in the Name of the Prince Electoral of *Bavaria* his eldest Son, or of the Prince Electoral, their Issue, Descendants, Heirs and Successors, born, and to be born, The Kingdoms of *Naples* and *Sicily*, the places at present depending on the Monarchy of *Spain*, situated on the Coast of *Tuscany*; or the adjacent Islands comprehended under the Name of *Santo Stephano*, *Porto Hercule*, *Orbitello*, *Telamone*, *Portolongo*, *Piombino*, in the same manner likewise as the *Spaniards* do now hold them; the Town and Marquisate of *Final* in the same manner likewise as the *Spaniards*

ards hold them; the Province of *Guipuscoa*, particularly the Towns of *Fontarabia* and *St. Sebastian* situated in that Province, and especially the Port of *Passage* which is therein comprized; with this Restriction only, That if there be any places depending on the said Province which shall be found to lie beyond the *Pyrenees*, or the other Mountains of *Navar*, *Alava*, or *Biscay*, on the side of *Spain*, they shall remain to *Spain*; and in like manner if there be any places depending on the Provinces subject to *Spain*, but lying on this side the *Pyrenees*, or other Mountains of *Navarr*, *Alava*, or *Biscay*, on the side of the Province of *Guipuscoa*, they shall remain to *France*; and the Passages of the said Mountains, and the said Mountains that shall lie between the said Province of *Guipuscoa*, *Navarr*, *Alava*, and *Biscay*, to whomsoever they belong, they shall be shared between *France* and *Spain* in such manner, as that there shall remain as much of the said Passages and Mountains to *France* on her side, as there shall remain to *Spain* on hers; the whole, with the Fortifications, warlike Ammunitions, Powder, Bullets, Cannon, Gallies, Galley-slaves, which shall be found to appertain to the King of *Spain* at the time of his decease without Issue, and to be annexed to the Kingdoms, Places, Islands and Provinces which are to compose the Share of the *Dauphin*: It being to be understood, that the Gallies, Galley-slaves, and other Effects appertaining to the King of *Spain*, by the Kingdom of *Spain*, and other Dominions which fall to the Share of the Prince Electoral of *Bavaria*, shall remain to him; those which belong to the Kingdoms of *Naples* and *Sicily* being to go to the *Dauphin*, as abovesaid. In consideration of which Kingdoms, Islands, Provinces and Places, the said most Christian King, as well in his own Name, as in that of the *Dauphin*, his Children, Male or Female, Heirs and Successors, born, and to be born; as likewise the said *Dauphin*, for himself, his Children, Male or Female, Heirs and Successors, born, and to be born (who has also given his full Power to that purpose to the Count *de Tallard*) do promise and engage to renounce, at the time of the said Succession, as in case they do at this time by these Presents renounce all their

their Rights and Pretensions to the said Crown of *Spain*, and to the other Kingdoms, Islands, States, Countrys, and Places now depending thereon; and that they will cause solemn Acts of the whole Matter to be dispatched in the strongest and best Form that can be, which shall be delivered at the time of the Ratification of this Treaty.

5. The Crown of *Spain*, and the other Kingdoms, Islands, States, Countrys, and Places, which at present depend thereon, shall be given and assigned to the Prince, eldest Son to the Elector of *Bavaria* (except what has been declared in the foregoing Article to make up the Share of the *Dauphin*) in full propriety and plenary possession for his Share, and in extinction of all his Pretensions to the said Succession of *Spain*, to enjoy the same to him, his Heirs and Successors, born, and to be born for ever, so as that he shall never be molested, on any Pretence whatsoever, of Rights or Claims, directly or indirectly, either by Cession, Appeal, Revolt, or otherwise, on the part of the most Christian King, the said *Dauphin*, or his Issue Male or Female, and Descendants, his Heirs and Successors, born, and to be born; nor on the part of the Emperor, the King of the *Romans*, the Arch Duke *Charles* his second Son, his other Children, Male or Female, and Descendants, his Heirs and Successors, born, and to be born. In consideration of which Crown of *Spain*, and the other Kingdoms, Islands, States, Countrys, and Places depending thereon, the Elector of *Bavaria*, as well in the quality of Father, and lawful Tutor, and Administrator to the Electoral Prince his eldest Son, as in the Name of the said Electoral Prince, and in that of their Children, Heirs and Successors, born, and to be born; as likewise the said Electoral Prince of *Bavaria*, as soon as he shall come of Age, for his own Self, his Children, Heirs and Successors, born, and to be born, shall hold themselves satisfied, that the said Electoral Prince have for his Share the Cession made above in this Article: And the said Elector of *Bavaria*, as well in the quality of Father, and lawful Tutor, and Administrator to the Electoral Prince his eldest Son, as in the Name of the

the said Prince, and in that of his Children, Heirs and Successors, born and to be born, shall renounce, at the time of the death of his Catholick Majesty, and the said Electoral Prince as soon as he shall come of Age, all Rights and Pretensions to the Portion assigned to the *Dauphin*, and to that which is to be assigned to the Arch Duke *Charles* by the following Articles: And they shall cause solemn Acts of the whole Matter to be dispatched, in the strongest and best Form that can be; to wit, the Elector of *Bavaria*, in the quality abovesaid, at the time of the decease of his Catholick Majesty without Issue, and the said Electoral Prince as soon as he shall come to Age.

6. The Dutchy of *Milan* shall always be excepted out of the said Cessions and Assignations, which the two Kings and the States General have agreed shall be given to the Arch Duke *Charles* of *Austria*, second Son to the most Serene and most mighty Prince *Leopold*, elected Emperor of the *Romans*, for his share, and in Extinction of all the Pretensions and Rights which the said Emperor, the King of the *Romans*, the Arch Duke *Charles* his second Son, all his other Children, Male or Female, and Descendants, his Successors and Heirs, born and to be born, might have to the said Succession of *Spain*; which said Arch Duke shall have in full propriety and plenary possession the said Dutchy of *Milan*, to him, his Heirs and Successors, born and to be born, to enjoy the same likewise for ever, without being at any time molested on any pretence whatsoever, of Rights or Claims, directly or indirectly, on the part of the most Christian King, the said *Dauphin*, or the Princes his Children and Descendants, his Heirs and Successors, born and to be born; or in like manner on the part of the Elector of *Bavaria*, in the name of the Electoral Prince, his eldest Son, or of the said Electoral Prince, their Children, Descendants, Heirs and Successors, born and to be born.

7. In Consideration of which Dutchy of *Milan*, the Emperor also as well in his own Name, as in that of the King of the *Romans*, the Arch Duke *Charles* his second Son, his Children, Male or Female,
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their Children, Heirs and Successors, born and to be born; as likewise the King of the *Romans*, and the Arch Duke *Charles*, as soon as he shall come of Age for himself, their Children, Heirs and Successors, born and to be born, shall hold themselves satisfied, that the Arch Duke *Charles* have, in extinction of all their Pretensions to the Succession of *Spain*, the Cession of the Dutchy of *Milan* made as above; and the said Emperor, as well in his own Name, as in that of the King of the *Romans*, the Arch Duke *Charles* his second Son, his Children, Male or Female, and theirs, their Heirs and Successors; as likewise the said King of the *Romans* in his own Name, shall renounce at the time of the decease of his Catholick Majesty, and the Arch Duke *Charles* as soon as he shall come of Age, all other Rights and Pretensions to the said Crown of *Spain*, and to the other Kingdoms, Islands, States, Countries, and places depending thereon, which compose the Shares and Portions above assigned to the *Dauphin*, and the Electoral Prince of *Bavaria*: And they shall cause solemn Acts of this whole Matter to be dispatched in the strongest and best form that can be; to wit, the Emperor and the King of the *Romans* at the time of the decease of his Catholick Majesty without Issue, and the Arch Duke *Charles* as soon as he shall come of Age.

8. This present Treaty shall be communicated to the Emperor and the Elector of *Bavaria* by the King of *Great Britain*, and the States General, immediately after the signing and exchange of the Ratifications; and his Imperial Majesty, the King of the *Romans*, and the said Elector, shall be invited to approve thereof at the time of the decease of his Catholick Majesty without Issue; and the Arch Duke *Charles*, as likewise the Electoral Prince of *Bavaria*, as soon as they shall come of Age.

9. But if the Emperor, the King of the *Romans*, or the Elector of *Bavaria*, refuse to enter therein, the two Kings, and the States General, shall hinder the Prince, Son, or Brother of him that refuses, from entering into possession of that which shall be assigned him, and his Portion shall remain as it were in Sequestration in the hands of the

the Vice-Roys, Governours and other Regents who govern on the part of the King of *Spain*, who shall not disseise themselves thereof but with the Consent of the two Kings and the States General, till such time as he shall have agreed to the said Partition, and this Treaty; and in case that notwithstanding he should endeavour to take possession of his Portion, or of that which shall be assigned to others, the said two Kings, and the States General, as likewise those that shall be contented with their Share by virtue of this Agreement, shall hinder him with all their might.

10. The King of *Spain* coming to die without Issue, and the above-said Case by that means happening, the two Kings, and the States General, do oblige themselves to leave the whole Succession in the Condition it shall then be, without seizing thereof in the whole or in part, directly or indirectly, but each Prince shall and may forthwith put himself in possession of what is assigned him for his Share, as soon as he shall on his part have complied with the 5th, 6th, 7th, and 9th Articles preceding; and if there be any difficulty therein, the two Kings, and the States General, shall use all possible Endeavours, to the end that each one may be put into possession of his Portion according to this Agreement; and that the same may have its full effect, engaging to give, by Sea and by Land, the Succours and Aids of Men and Ships as are necessary to compel by Force those that shall oppose the Execution thereof.

11. If the said Kings, and the States General, or any of them, are attacked, by whomsoever it may be, on account of this Agreement, or the executing thereof, they shall mutually assist each other with all their Power, and they shall make themselves Guarantees of the punctual execution of the said Agreement, and the Renunciations made pursuant thereto.

12. All Kings, Princes and States, shall be admitted into the present Treaty that desire to enter therein; and the said two Kings and the States General, and each of them in particular, shall be permitted to request and invite all whom they shall think fit to request and invite, who shall in like manner be Guarantees of the execution of

this Treaty, and of the Validity of the Renunciations therein contained.

13. And for the further securing of the Quiet of *Europe*, the said Kings, Princes, and States, shall not only be Guarantees of the said Execution of the present Treaty, and of the Validity of the said Renunciations as above mentioned, but if any one of the Princes, in favour of whom the said Partition is made, should hereafter endeavour to disturb the Order settled by this Treaty, make new Attempts contrary thereto, and so aggrandize himself to the detriment of the others, under any Pretext whatsoever, the same Guaranty of the Treaty shall be judged to extend even to that Case in such manner as the Kings, Princes, and States, who undertake the same, shall be obliged to imploy their Forces in opposing the said Attempts, and maintaining all things in the condition agreed on by the said Articles.

14. If any Prince whatsoever oppose the taking possession of the Shares agreed on, the said two Kings, and the States General, shall be obliged to assist one another against such Opposition, and to hinder the same with all their Power; and it shall be agreed immediately after the signing of this present Treaty, in what Proportion each is to contribute, as well by Sea as by Land.

15. The present Treaty shall be ratified and approved by the said two Kings, and the States General; and the Letters of Ratification shall be exchanged within the space of three weeks, or sooner if possible, to be computed from the day of the Signing. In witness whereof we have signed these Presents, and sealed the same with our Coats of Arms, made at the *Hague* the eleventh day of *October* 1698. Signed *Camille de Hostrang*, Count de Tallard. *Portland*. *William Francis Verbolt*. *F. B. de Reede*. *A. Heinsius*. *John Becker*. *J. Vander Does*. *W. Vanbaren*. *Ar. Lemker*, and *J. de Drewes*.

LEWIS,

LEWIS, by the Grace of God, King of *France* and *Navarr*, To all who shall see these Presents, greeting. The desire of maintaining the Tranquillity of *Europe*, joined with the Esteem and Friendship we have for our most dear and most beloved Brother the King of *Great Britain*, having induced us to form stricter Engagements than before with our said Brother, and to take with him the necessary Measures for preventing those Events that might occasion new Wars, We make known, that we puting intire Confidence in the Experience, Capacity and Fidelity of our dear and well beloved the Count *de Tallard*, Lieutenant General of our Armies, and in our Province of *Dauphiny*, and our Ambassador Extraordinary in *England*, have constituted, appointed, and deputed, and by these Presents do constitute, appoint, and depute him to make, conclude and sign, in our Name, with our said Brother the King of *England*, or with the Commissioners that shall be named by him, provided with full Powers on his part, such Treaties, Articles, and Agreements, as the said Count *de Tallard* shall see good, with the same liberty and full power as we should or might do, if we were there present in Person, altho there were some Matter that required a more especial Order than is contained in these Presents; promising on the Faith and Word of a King, punctually to perform and execute, to prove and hold firm and stedfast, all that the said Count *de Tallard* shall promise and sign in our Name, by virtue of the present Power, without ever acting, or suffering any thing to be acted to the contrary, for what Cause, or under what Pretext soever it may be; as likewise to dispatch the Ratification thereof in good Form, within the time that shall have been agreed upon. In witness whereof we have signed these Presents with our Hand, and caused our Privy-Seal to be affixed thereto. Given at *Versailles* the 19th day of *August*, in the Year of our Lord 1698. and of our Reign the 56th.

Signed *Lewis*, and on the Fold by the King, *Colbert*.

LEWIS,

LEWIS, by the Grace of God, King of *France* and *Navarr*, To all who shall see these Presents, Greeting. We have sent to our dear and well-beloved the Count *de Tallard*, Lieutenant General of our Armies, and in our Province of *Dauphiny*, and our Ambassador Extraordinary in *England*, a Power to treat, conclude, make, and sign, with those who shall be provided with the like Power from our most dear and most beloved Brother the King of *Great Britain*, and the States General of the *United Provinces*, such Articles and Agreements as shall be adjudged necessary for preventing the Events that might disturb the publick Tranquillity: And we have been willing at the same time, that we might omit no manner of thing that may or can depend on us, to authorize our most dear and most beloved only Son, the *Dauphin*, to give on his part all Acts necessary for the same End: For these Causes and others hereunto moving, We have permitted, and by these Presents do permit our said Son to give to the said Count *de Tallard*, all the Powers that may or can be necessary for him to Treat and Transact concerning his Rights and Pretensions, and in pursuance thereof to make the Renunciations that shall be stipulated therein; promising, on the Faith and Word of a King, to approve the same, and to consent that they be performed and executed altogether, so, and in the same manner as that which shall be done pursuant to the Power that we have given to the said Count *de Tallard*. In witness whereof we have signed these Presents with our Hand, and caused our Privy Seal to be put to the same.

Given at *Versailles* the 19th day of *August*, in the Year of our Lord 1698, and of our Reign the 56th. Signed *Lewis*, and on the Fold, by the King, *Colbert*.

LEWIS

L E W I S D.

LEWIS, *Dauphin of France*, the King's only Son, To all who shall see these Presents, Greeting. Whereas we propose to our selves, to follow in all things the Example set us by the King, our most dear and most honoured Lord and Father, We would chiefly imitate him in the sincere desire he has to maintain the Peace which *Europe* enjoys since the conclusion of the Treaty of *Ryswick*; and his Prudence making him equally to foresee the Events capable of disturbing the publick Tranquillity, and the Means to prevent their Effect, we do with pleasure apply our selves to the sacrificing our lawful Rights to contribute towards the Success of a Design, so conformable to the general Interest of Christendom. Wherefore our said most dear and most honoured Lord and Father, having been pleased to communicate to us the Orders and Power which he has given for that purpose to our dear and well-beloved the Count *de Tallard*, Lieut. Gen. of his Armies, and of his Province of *Dauphiny*, and his Ambassador Extraordinary to our most dear and most beloved Brother the King of *England*, to conclude and sign with the said King a Treaty, the principal Object whereof is to be the preservation of the Peace in *Europe*, if God should dispose of our most dear and most beloved Brother and Uncle the King of *Spain*, in the present Juncture; We have, in pursuance of the Power and Permission which hath been given unto us by our said most dear and most honoured Lord and Father, given, and by these Presents signed with our Hand, do give full Power, Commission, and special Command to the said Count *de Tallard*, to renounce in our Name, and in that of our Children, Heirs and Successors, born, and to be born, all the Rights which shall or may lawfully appertain to Us to the Monarchy of *Spain*, in case of the Death of our Brother and Uncle the Catholick King, which we transfer to our dear and most beloved Nephew the Prince, eldest Son to our dear and most beloved

loved Brother, and Brother-in-Law, the Elector of *Bavaria*, and to his Descendants. And we do consent, that in case of the Death of our said Brother and Uncle the Catholick King, our said Nephew the Electoral Prince of *Bavaria*, may exercise and make good our said Right in our stead and place, over all the Kingdoms, Provinces and States depending on the Monarchy of *Spain*, excepting those which we shall reserve to our Selves, and to our most dear and most beloved Brother and Cousin the Arch-Duke *Charles* of *Austria*, second Son to our most dear and most beloved Brother the Emperor, according to the Articles and Conditions that the said Count *de Tallard* shall agree upon with the Commissioners that shall be named by our said Brother the King of *England*, and provided with a sufficient Power to promise in our Name, that we will ratify and approve all that shall have been agreed and stipulated for us by the said Count *de Tallard*, and in general in every thing above-mentioned, the Circumstances and Dependencies, to do, stipulate, demand, conclude, and sign, wholly, in such manner as we should or might do if we were there present in Person, altho the Case required a more special Command than is contained in these said Presents. Given at *Versailles* the 19th of *August* 1698.

Signed *Lewis*, and on the Fold by Monsigneur the *Dauphin*,
Colbert.

LEWIS, *Dauphin* of *France*, the King's only Son, To all who shall see these Presents, Greeting. We have, in pursuance of the Power and Permission which hath been given to us by our most honoured Lord and Father, this day caused to be dispatched to our dear and well-beloved the Count *de Tallard*, Lieutenant General of his Armies, and of his Province of *Dauphiny*, and his Ambassador Extraordinary in *England*, a Power to conclude and sign, with our most dear and most beloved Brother the King of *England*, a Treaty,

ty, the principal Object whereof is to be the preservation of the Peace in *Europe*, if God should dispose of our most dear and most beloved Brother and Uncle the King of *Spain*. But whereas it may so happen by the Negotiation to be on this Matter, that it may be found necessary likewise to conclude some Secret and Separate Articles of the said Treaty, we have given anew to the said *C. de Tallard*, and by these Presents, signed with our Hand, do give him full Power, Commission, and special Command, to confer, treat, negotiate, conclude, and sign such Articles and Agreements, secret and separate, as shall be judged fitting; and to promise in our Name, that we will ratify and approve the said Articles signed by the said Count *de Tallard*, altogether so, and in the same manner as if they had been inserted word for word in the said Treaty, altho the Case required more especial Order than is contained in these Presents. Given at *Versailles* the 19th day of *August* 1698.

Signed *Lewis*, and on the Fold by Monsieur the *Dauphin*, *Colbert*.

WE well liking the abovesaid Treaty, in all and every the Points and Articles therein contained and declared, have accepted, approved, ratified and confirmed, and by these Presents do accept, approve, ratify and confirm the same, promising, on the Faith and Word of a King, to perform, observe, and cause to be observed, sincerely, and *bona fide*, without acting, or suffering any thing to be acted to the contrary, directly or indirectly, for any Cause or any Occasion whatsoever. In witness whereof we have signed these Presents with our Hand, and caused our Privy Seal to be affixed thereunto.

Given at *Fountainbleau* the 24th of *October*, in the Year of our Lord 1698, and of our Reign the 56th.

L E W I S, (L S)

By the King,

Colbert.

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[The

*The French King's Ratification of a Secret Article relating
to the Elector of Bavaria.*

LEWIS by the Grace of God, King of *France* and *Navarre*,
To all who shall see these Presents, Greeting. Whereas our
dear and well-beloved the Count *de Tallard*, Lieutenant General of
our Armies, and of our Province of *Dauphiny*, and our Ambassador
Extraordinary in *England*, hath, by virtue of the full Power We
have given him for that purpose, concluded, made, and signed
at the *Hague*, the 11th of *October* last, with *William Bentinck* Earl
of *Portland*, Knight of the Order of the Garter, Privy Counsel-
lor to Our most dear and most beloved Brother, the King of *Great
Britain*, first Gentleman of his Bed-Chamber, and General of
his Horse, and Sir *Joseph Williamson* Kt. likewise Privy-Counsellor
to Our said Brother, and Keeper of the Papers of State, in like
manner provided with full Powers from Our said Brother, a Secret
Article of the Treaty concluded the same day with our said Brother;
the Tenour whereof is as follows.

WHEREAS the most Christian King, the King of *Great
Britain*, and the States General of the United Provinces
of the *Netherlands*, have agreed by the Treaty this day signed,
concerning the Partition that is to be made of the Succession of the
King of *Spain*, to prevent by that means the Calamities which
the Death of that Prince, if he should die without Issue, might
produce in *Europe*; and whereas the greatest share of the said Suc-
cession hath been assigned to the Electoral Prince of *Bavaria*, with-
out having determined to whom the same should descend after
him if he should in like manner happen to die without Issue: His
most Christian Majesty, his *Britannick* Majesty, and the States Gene-
ral, for the further avoiding the Disputes and Wars which such a
Case might produce, have made a new Agreement by this Secret Ar-
ticle,

ticle, which shall have the same force as the Treaty above mentioned whereto it relates.

First, If the King of *Spain* happens to die without Issue, and consequently that the Kingdoms of *Spain*, the *Indies*, Islands, and other Countries and States which are assigned to the Electoral Prince of *Bavaria*, do fall under his Power, the present Elector of *Bavaria* shall be Tutor and Curator to the Prince his Son during his Minority, all which time he shall have the Charge of the Government, and the Administration of all the Kingdoms, Islands, States, Countries and Places which have been assigned to the Prince his Son by the said Treaty.

Secondly, If the said Prince should happen to die without Issue, his Electoral Highness of *Bavaria*, his Father, shall succeed him in all the Kingdoms, Islands, States, Countrys, and Places which have been assigned to him for his Share; and he shall enjoy the same in full propriety, and plenary possession to him and his Children, Males and Females, Descendants, Successors, and Heirs, born and to be born, so as that neither the Emperor, the *Dauphin*, their Children Male or Female, Descendants, Successors and Heirs, nor any other, shall or may under any pretext form the least pretension to that Succession; his most Christian Majesty, his *Britannick* Majesty, and the States General, engaging themselves anew to imploy all their Power, by Land and by Sea, for maintaining the Order established by this Article relating to the Succession to the Monarchy of *Spain*, whereto they have unanimously agreed, in expectation of procuring by this Precaution, the continuance of the General Tranquillity which hath lately been established in *Europe*.

All Kings, Princes, and States, that shall be willing to enter into this present Treaty, shall be admitted therein when it shall be made publick, upon the Death of the Prince Electoral, in case that happens, without Issue; and the two said Kings, and the States General, and each of them in particular, shall be permitted to request and invite all those whom they shall think fit to request and invite, who shall in like manner be Guarantees of that which is contained in

this present secret Article. In Witness whereof, We who have signed the Treaty whereto this present Article relates, have also signed the said Article, and sealed it with our Coats of Arms, made at the *Hague* the 11th of *October* 1698. Signed *Tallard*, *Portland*, and *Williamson*.

LEWIS, by the Grace of God, King of *France* and *Navarr*, To all who shall see these Presents, Greeting. The desire of maintaining the Tranquillity of *Europe*, joyned with the Esteem and Friendship we have for our most dear and most beloved Brother the King of *Great Britain*, having induced us to form stricter Engagements than before with our said Brother, and to take with him the necessary Measures for preventing the Events which might occasion new Wars; We make it known, that we reposing entire Confidence in the Experience, Capacity, and Fidelity of our dear and well beloved Count *de Tallard*, Lieutenant General of our Armies and in our Province of *Dauphiny*, and our Ambassador Extraordinary in *England*, have constituted, appointed, and deputed, and by these Presents do constitute, appoint, and depute him to make, conclude, and sign, in our Name, with our said Brother the King of *England*, or with the Commissioners which shall be named by him, provided with full Powers on his part, such Treaties, Articles, and Agreements, as the said Count *de Tallard* shall see good, with the same Liberty and full Power as we should or might do if we were there present in Person, altho there should be some Matter that required a more special Order than is contained in these Presents: Promising on the Faith and Word of a King, to perform and execute punctually, to approve and hold firm and stedfast for ever, all that the said Count *de Tallard* shall have promised and signed in our Name by virtue of the present Power, without ever acting, or suffering any thing to be acted, contrary thereto, for what Cause or under what Pretext soever it may be; as likewise to dispatch the Ratification thereof in good form within the time that shall have been agreed upon. In Witness whereof we have signed these

these Presents with our Hand, and have caused our Privy Seal to be affixed thereunto.

Given at *Versailles* the 19th day of *August*, in the year of our Lord 1698. and of our Reign the 56th. Signed *Lewis*, and on the Fold, by the King, *Colbert*.

WE well liking the said secret Article, with all its Contents, have accepted, approved, ratified, and confirmed, and by these Presents do accept, approve, ratifie, and confirm the same; promising, on the Faith and Word of a King, to perform, observe, and cause it to be observed, sincerely and faithfully, without doing or suffering any thing to be done to the contrary, directly or indirectly, for any Cause, or on any Occasion whatsoever. In Witness whereof we have signed these Presents with our Hand, and have caused our Privy Seal to be affixed thereunto.

Given at *Fountainbleau* the 24th day of *October*, in the year of our Lord 1698, and of our Reign the 56th.

LEWIS, (L S)
By the King,
Colbert.

*The Ratification of the Secret Article concerning
the Dutchy of Milan.*

L*EWIS*, by the Grace of God, King of *France* and *Navarr*,
To all who shall see these present Letters, Greeting. Where-
as our dear and well beloved the Count *de Tallard*, Lieutenant Ge-
neral of our Armies, and of our Province of *Dauphiny*, and our Am-
bassador Extraordinary in *England*, has, by virtue of the full Pow-
er

er which we had granted him, concluded, made, and signed at the *Hague*, the 11th of *October* last, with *William Benting* Earl of *Portland*, Knight of the Order of the Garter, one of the Privy Council of our most dear and most beloved Brother the King of *Great Britain*, first Gentleman of his Bed-Chamber, and General of his Horse, and Sir *Joseph Williamson* Kt. likewise one of the Privy Council of our said Brother, and Keeper of the Papers of State, having likewise full Power from our said Brother, a Separate and Secret Article of the Treaty concluded the same day with our said Brother, the Tenor whereof follows.

THE two Kings, and the States General, have likewise agreed, That in case the Dutchy of *Milan* should come to be sequestred, by virtue of the Clause mentioned in the ninth Article of the Treaty concluded this day, into the hands of the Prince of *Vandemont*, at present Governour thereof, that upon his decease, whenever it shall happen, the said Sequestration, and consequently the Government of the said Dutchy shall be administered by Prince *Charles of Vandemont* his Son.

This secret Article shall be of the same force as if it was inserted in the Treaty made this day, to which it relates. In Witness whereof We who have signed the said Treaty, have signed the present Article, and have caused our Seals to be put thereunto. Done at the *Hague* the 11th of *October* 1698. Signed *Tallard*, *Portland*, and *Williamson*, with their Seals.

LEWIS, by the Grace of God, King of *France* and *Navarr*,
To all who shall see these present Letters, Greeting. The Desire of maintaining the Tranquillity of *Europe*, joyned with our Esteem and Friendship for our most dear and most beloved Brother the King of *Great Britain*, having induced us to enter into more strict Engagements with our said Brother, and to take jointly with him the necessary Measures for preventing the Events which might
excite

excite new Wars; Know ye that We confiding entirely in the Experience, Capacity and Fidelity of our dear and well beloved the Count *de Tallard*, Lieutenant General of our Armies, and of our Province of *Dauphiny*, and our Ambassador Extraordinary in *England*, Have appointed, ordained, and deputed, and by these Presents do appoint, ordain, and depute him to make, conclude, and sign in our Name, with our said Brother the King of *England*, or the Commissioners who shall be named by him, having full Powers from him, such Treaties, Articles, and Conventions as the said Count *de Tallard* shall think good, with the same Liberty and full Power as we should or might do if we were there present in Person, notwithstanding there should be matter which might require a more special Command than is contained in these Presents: Promising, in the Faith and Word of a King, to fulfil and execute punctually, to approve and hold firm and stedfast for ever, whatsoever the said Count *de Tallard* shall have promised and signed in our Name, by virtue of the present Power, without acting, or suffering to be acted to the contrary, for any Cause, or under any Pretence whatsoever; as also to finish the Ratification thereof in good Form within the time that shall have been agreed. In Witness whereof we have signed these Presents with our Hand, and have caused our private Seal to be affixed thereunto.

Given at *Versailles* the 19th day of *August*, in the Year of our Lord 1698, and of our Reign the 56th. Signed *Lewis*, and on the Fold, by the King, *Colbert*.

WE liking well the abovesaid separate and secret Article, and all its Contents, have accepted, approved, ratified, and confirmed, and by these Presents do accept, approve, ratify and confirm the same; promising, in the Faith and Word of a King, to fulfil, observe, and cause to be observed, sincerely, and *bona fide*, without acting, or suffering to be acted, directly or indirectly, to the

the contrary, for any Cause or Occasion whatsoever. In witness whereof we have signed these Presents with our Hand, and caused our Private Seal to be affixed thereunto.

Given at *Fountainbleau* the 24th day of *October*, in the Year of our Lord 1698, and of our Reign the 56th.

LEWIS, (L S)

By the King, *Colbert*.

*The French King's Ratification of the Separate Article
Explanatory of the Treaty.*

LEWIS, by the Grace of God, King of *France* and *Navarr*,
To all who shall see these present Letters, Greeting. Whereas our dear and Well-beloved the Count *de Tallard*, Lieutenant General of our Armies, and of our Province of *Dauphiny*, Our Ambassador Extraordinary in *England*, has, by virtue of the full Power which we had granted him, concluded, made, and signed at the *Hague* the 11th day of *October* last, with *William Bentinck* Earl of *Portland*, Knight of the Order of the Garter, one of the Privy Council of our most dear and most beloved Brother the King of *Great Britain*, first Gentleman of his Bed-Chamber, and General of his Horse; and Sir *Joseph Williamson* Kt. likewise one of the Privy Council of our said Brother, and Keeper of the Papers of State, having like full Powers from our said Brother; and with *Francis Verholt* Senator and Burgomaster of the City of *Nimeguen*, Post-master General in the Dutchy of *Guelderland*, the County of *Zutphen*, and other places; *Frederick* Baron of *Reede*, Lord of *Lier*;

Lier; *St. Anthony Per Lee*, &c. Commander of *Buren*, of the Order of the Nobility of *Holland* and *Westfriezland*; *Anthony Heinsius* Counsellor, Pensionary, Keeper of the Great Seal, and Superintendant of the Fiefs of the same Province of *Holland* and *Westfriezland*; *John Beeker* antient Senator and Burgomaster of the City of *Middleburgh*; *John Vander Does*, Lord of *Bergsteine*, of the Order of the Nobility of the Province of *Utrecht*; *William Van Haren* late Grietman of the *Bilt*, Deputy from the Nobility in the States of *Friezland*, and Curator of the University of *Franecker*; *Arnold Lemker* Burgomaster of the City of *Daventer*, and *John de Drewes*, all Deputys in the Assembly of our most dear and great Friends the States General of the United Provinces of the Low Countrys, from the Provinces of *Guelderland*, *Holland* and *Westfriezland*, *Zeland*, *Utrecht*, *Friezeland*, *Overysfel*, *Groninguen* and *Omeland*, having like full Powers from the said States General of the United Provinces of the Low Countrys; a Separate Article of the Treaty concluded the same day with our said Brother and the States General; the Tenour whereof follows.

IN Explication of the 5th, 7th, and 10th Articles of the Treaty concluded this day at the *Hague*, it is agreed, That notwithstanding the Arch-Duke *Charles* be not to give his Act of Renunciation before he is of Age, provided the Emperor, and the King of the *Romans* have given theirs, the said Arch-Duke may enter into possession of his Share, at the time of the decease of his Catholick Majesty without Issue, tho he be not of Age; it being well understood that the said Arch-Duke shall still be obliged to give his Act of Renunciation when he shall be of Age. And in like manner it is agreed, That tho the Electoral Prince of *Bavaria* be under Age, provided the Elector of *Bavaria*, his Father, in the quality of Father, and lawful Guardian, and Administrator of the said Prince, has given his, the said Electoral Prince of *Bavaria* may enter in possession of his Share, at the time of the decease of his Catholick Majesty without Issue, tho under Age; it
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being

being well understood, that the said Electoral Prince of *Bavaria* shall still be obliged to give his Act of Renunciation as soon as he shall be of Age.

In Witness whereof we that have signed the Treaty, have also signed the present Article, and put our Seals thereunto.

Done at the *Hague* the 11th of October, 1698. Signed *Tallard*, *Portland*, *J. Williamson*, *Francis Verbolt*, *F. B. de Reede*, *A. Heinsius*, *John Beeker*, *J. Vander Does*, *G. Van Haren*, *Ar. Lemker*, and *J. de Drenes*.

LEWIS, by the Grace of God, King of *France* and *Navarr*,
To all who these present Letters shall see, Greeting. The
desire of maintaining the Tranquillity of *Europe*, joined with our
Esteem and Friendship for our most dear and most beloved Brother
the King of *Great Britain*, having induced us to enter into stricter
Engagements with our said Brother, and to take jointly with him
the necessary Means for preventing the Events which might excite
new Wars : Know ye that we confiding intirely in the Experience,
Capacity and Fidelity of our dear and well-beloved the Count *de*
Tallard, Lieutenant General of our Armies, and in our Province
of *Dauphiny*, and our Ambassador Extraordinary in *England*, have
appointed, ordained, and deputed, and by these Presents do ap-
point, ordain, and depute him to make, conclude, and sign, in
our Name, with our said Brother the King of *England*, or with the
Commissioners who shall be named by him, being likewise pro-
vided with full Powers from him, such Treaties, Articles and Con-
ventions as the said Count *Tallard* shall think good, with the same
Liberty and full Power as we should or might do, if we were there
personally present, notwithstanding there should be Matter which
might require a more special Command than is contained in these
Presents ; promising, in the Faith and Word of a King, to fulfil
and execute punctually, to approve and hold firm and stedfast for
ever,

ever, whatsoever the said Count *de Tallard* shall have promised and signed in our Name, by virtue of the present Power, without ever acting, or suffering to be acted to the contrary, for any Cause, or under any Pretence whatsoever; as also to finish the Ratification thereof in good Form within the time that shall have been agreed.

In Witness whereof we have signed these Presents with our Hand, and have caused our Private Seal to be affixed thereunto.

Given at *Versailles* the 19th day of *August*, in the Year of our Lord, 1698, and of our Reign the 56th. Signed *Lewis*, and on the Fold, by the King, *Colbert*.

WE liking well the said Separate Article, and all its Contents, have accepted, approved, ratified and confirmed, and by these Presents do accept, approve, ratify and confirm the same, promising, in the Faith and Word of a King, to fulfil and observe it sincerely, and *bona fide*, without acting, or suffering to be acted to the contrary, directly or indirectly, for any Cause or Occasion whatsoever.

In Witness whereof we have signed these Presents with our Hand, and caused our private Seal to be affixed thereunto.

Given at *Fountainbleau* the 25th day of *October*, in the Year of our Lord 1698, and of our Reign the 56th.

LEWIS, (L S)

By the King, *Colbert*.

The Treaty betwixt the most Christian King, the King of Great Britain, and the States General of the United Provinces, for settling the Succession of the Crown of Spain, &c. in case his Catholick Majesty die without Issue; commonly called the Second Treaty of Partition.

BE it known unto all who shall see these Presents, That the most Serene and most potent Prince *Lewis* the 14th, by the Grace of God most Christian King of *France* and *Navarr*, &c. and the most serene and most potent Prince *William* the 3^d, also by the Grace of God King of *Great Britain*, &c. and the Lords States General of the *United Provinces* of the *Low Countries*, having nothing more in design than to confirm by new Obligations that good Intelligence reestablish'd between his most Christian Majesty, his Majesty of *Great Britain*, and the said Lords States General of the *United Provinces*, by the last Treaty concluded at *Ryswick*; and to prevent, by taking timely Measures, those Events which may raise new Wars in *Europe*; Have to this end given their full Powers to conclude a new Treaty: that is to say his most Christian Majesty to the *Sieur Camille d'Hortung*, Count de *Tallard*, Lieutenant General of the King's Armies, and of his Province of *Dauphiny*, Ambassador Extraordinary of *France* in *England*; and to the *Sieur Gabriel* Count de *Briord*, Marquis de *Senzan*, one of his Majesty's Privy Council, and his Ambassador Extraordinary to the States General of the *United Provinces* of the *Low Countries*: his said *Britannick* Majesty to the *Sieur William* Earl of *Portland*, Viscount of *Cirencester*, Baron of *Woodstock*, Knight of the Garter, and Privy Counsellor to the King; and to the *Sieur Edward* Earl of *Fersey*, Viscount *Villars*, Baron of *How*, Knight Marshal of *England*, first Secretary of State, and Privy Counsellor to the King: and the said States General to the Lords *John van Ersen*, Burgomaster and Senator

tor of the Town of *Zutphen*, Curator of the University of *Harderwyck*; *Frederick* Baron *Rheede*, Lord *de Lier*; *St. Anthony* Per *Lee*, of the Order of the Nobility of *Holland* and *Westfriesland*; *Anthony Heinsius*, Counsellor, Pensionary, Keeper of the Great Seal, and Superintendant of the Fiefs of the same Province; *William* of *Nassau*, Lord *d' Odyke Cortigene*, first Noble and Representative of the Nobility in the Assembly of the States and of the Deputies, Counsellor of *Zealand*; *Everhard de Weede*, Lord of *Weede*, *Dickvelt*, *Ratteles*, Lord of the Mannor of the Town of *Oudewater*, Dean and Member of the Imperial Chapter of *St. Mary* of *Utrecht*, *Dickgrave* of the River *Rhine* in the Province of *Utrecht* and President of the States of the same Province; *William Van Haren*, *Grietman du Bild*, Deputy of the Nobility of the States of *Friesland*, Procurator of the University of *Franecker*; *Arnold Lemsker*, Burgomaster of *Deventer*; and *John van Heck*, Senator of the Town of *Groningen*; all Deputies of the said Lords States General on behalf of *Guelderland*, *Holland* and *West Friesland*, of *Zealand*, of *Utrecht*, of *Friesland*, of *Overysel*, and of *Groningen* and *Omelandt*: who by virtue of the said Powers have agreed to the following Articles.

Article I.

THE Peace re-established by the Treaty of *Ryswick*, between his most Christian Majesty, his *Britannick* Majesty, and the Lords States General of the United Provinces of the *Low Countries*, their Heirs and Successors, their Kingdoms, States, and Subjects, shall be firm and constant; and their Majesties, and the said Lords States General of the United Provinces of the *Low Countries*, shall reciprocally do what they can to contribute to the Advantage and Profit one of the other.

II.

As the principal Object which his said most Christian Majesty, his said Majesty of *Great Britain*, and the said States General propose to themselves, is, that of maintaining the general Tranquillity of *Europe*; they could not without sorrow understand that the state of the King of *Spain's* Health hath for some time been so
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languishing, that the Life of the said Prince is much feared: Tho they cannot think upon this Event without trouble, because of the sincere and true Love they have for him; they have nevertheless thought it the more necessary to consider it, because his Catholick Majesty having no Children, the business of the Succession will infallibly raise a new War, if the most Christian King should maintain his own Pretensions, those of Monseigneur the *Dauphin*, or of his Successors, to the whole Succession of *Spain*; and if the Emperor should also make good his Pretensions, those of the King of the *Romans*, of the Arch-Duke his second Son, or of his other Children, Males or Females, unto the said Succession.

III.

And as the two Kings, and the Lords the States General, desire above all things the Conservation of the publick Peace, and to prevent a new War in *Europe*, by accommodating the Disputes and Differences which might arise upon the Subject of the said Succession, or by the Umbrage of three Estates reunited under one and the same Prince, they have thought good to take beforehand necessary measures to prevent the Evils which the sorrowful Event of the Catholick King's Death without Children might produce.

IV.

Therefore it is agreed that if it should so happen, the most Christian King, as well in his own Name, as in that of Monseigneur the *Dauphin*, his Male Children, Heirs and Successors, born or to be born; as also Monseigneur the *Dauphin* for himself, his Male Children, &c. shall hold himself satisfy'd, and do hold themselves satisfy'd by these Presents, That Monseigneur the *Dauphin* shall have for his Share in full Property and Possession, and in lieu of all his Pretensions to the Succession of *Spain*, to be enjoy'd by him, his Heirs, Successors, Descendants, Males, or, &c. for ever, without ever being molested under any pretence whatsoever in his Rights or Pretensions, directly or indirectly, either by Cession, Appeal, Revolt, or otherways, by the Emperor, the King of the *Romans*, the most Serene Arch-Duke *Charles* his Second Son, the Arch Dutches, his other Issue Male,

Male, or &c. the Kingdoms of *Naples* and of *Sicily* in the same manner the *Spaniards* possess them at present, the Places depending upon the Monarchy of *Spain*, situated on the Coast of *Tuscany*, or the Isles adjacent, being therein comprehended, under the name of *Sancto Stephano*, *Porto Hercole*, *Orbitello*, *Palamone*, *Portolongo*, *Piombin* : In that same manner also as the *Spaniards* possess them at present, the City and Marquisate of *Final* ; in that same manner also as they possess them, the Province of *Guipuscoa*, and particularly the Cities of *Fontarabia* and *St. Sebastian* situated in that Province, and especially the Port of *Passage* which is therein comprehended, with this Restriction only, that if there be any Places depending upon the said Province, which shall be found situated beyond the *Pyrenees*, or the other Mountains of *Navarr*, *Alava*, or *Biscay*, on the side of *Spain*, they shall remain to *Spain* ; and if there be any places in like manner depending upon the Provinces subjected to *Spain*, which are on this side the *Pyrenees*, or other Mountains betwixt the said Province of *Guipuscoa*, *Navarr*, *Alava* and *Biscay*, let them belong to whom they will, they shall be divided between *France* and *Spain*, in such sort as there shall remain as much of the said Mountains and Passes to *France* on her side, as shall remain to *Spain* on hers ; the whole with the Fortifications, Ammunition of War, Powder, Ball, Cannon, Gallies, Gallyslaves, which shall be found belonging to the King of *Spain* at the time of his Decease without Issue, and to be annext to the Kingdoms, Places, Islands and Provinces which are to compose the share of Monseigneur the *Dauphin*, provided that the Gallies, the Gallyslaves, and the Effects belonging to the King of *Spain* for the Kingdom of *Spain*, and other Dominions which fall to the share of the most Serene Arch Duke, shall remain to him ; those which belong to the Kingdoms of *Naples* and *Sicily* being to return to Monseigneur the *Dauphin* so as abovesaid.

Further, the Dominions of the Duke of *Lorrain*, that is to say the Dutchies of *Lorrain* and *Bar*, so as *Charles IV.* of that name possess'd them, and as they were restored by the Treaty of *Reswyck*, shall

shall be yielded and transferred to Monseigneur the *Dauphin*, his Heirs and Successors Males, or &c. in Property and full Possession, in lieu of the Dutchy of *Milan*, which shall be quitted and exchanged to the said Duke of *Lorrain*, his Male Children, or &c. in all Property, and full Possession, who will not refuse so advantageous a Bargain, it being understood that the County of *Bitch* belongs to Monsieur the Prince of *Vaudemont*, who shall enter into Possession of the Lands which he heretofore enjoy'd, which have been or ought to have been restored according to the Treaty of *Reswick*; on the account of which said Kingdoms, Islands, Provinces, and Places, the said Most Christian King as well in his own as in the name of Monseigneur the *Dauphin*, his Male Children, or, &c. who hath also given his full Power to the Count *de Tallard*, and to the Count *de Briord*, promising and engaging themselves to renounce at the opening of the said Succession of *Spain*, as in this case they have at this time renounced by these Presents all their Rights and Pretensions to the said Crown of *Spain*, and to all the other Kingdoms, Islands, States, Lands, and Places, which at this time depend thereupon, except what is above excepted for his part: all which they shall confirm by solemn Acts in the most authentick and best form as may be; which shall be delivered at the time of the Exchange of the Ratification of this present Treaty to the King of *Great Britain*, and the States General.

V.

All the Towns, Places, and Ports situate in the Kingdoms and Provinces which are to compose the share of Monseigneur the *Dauphin*, shall be preserv'd without being demolish'd.

VI.

The said Crown of *Spain* and the other Kingdoms, Islands, States, Lands and Places, which the Catholick King at this time possesses, as well within as without *Europe*, shall be given to the most Serene Arch-Duke *Charles*, Second Son to the Emperor, except what has been given in the 4th Art. for the share of the *Dauphin*, and of the Dutchy of *Milan*, according to the said 4th Art. in full Propriety

priety and Possession as his part, excluding all his other Pretensions to the said Succession of *Spain*; to enjoy the same for himself and Successors born or to be born for ever, without being ever molested under any Pretext whatsoever of Rights or Pretensions, directly or indirectly, by Cession, Appeal, Revolt, or otherwise, on the part of the Most Christian King, or Monseigneur the *Dauphin*, or his Children Male, or &c. For which said Crown of *Spain*, and other Kingdoms, Islands, and Places thereupon depending, the Emperor as well in his own Name, as in that of the King of the *Romans*, and the Arch-Duke *Charles* his Second Son, the Arch-Dutcheßes his Daughters, his Children Males, or &c. as also the King of the *Romans* for himself, and the most Serene Arch-Duke *Charles*, as soon as he shall be of Age, for himself, their Children, &c. shall be satisfy'd that the most Serene Arch-Duke *Charles* shall have in lieu of all their Pretensions upon the Crown of *Spain*, the said Cession above said; and the said Emperor as well in his own Name, as in that of the K. of the *Romans*, the most Serene Arch-Duke *Charles* his 2^d Son, the Arch-Dutcheßes his Daughters, his Children Males, or &c. or their Issue; as also the said K. of the *Romans* in his own Name, shall renounce, when they shall enter into, and ratify this present Treaty; and the most Serene Arch-Duke *Charles* as soon as he shall be of Age, all other Rights and Pretensions to the said Kingdoms, Islands, States, Lands and Places which compose the Share or Portion assigned to Monf. *Dauphin*, and of him who shall have the Dutchy of *Milan* by exchange of what shall be given to Monf. the *Dauphin*; of all which they shall cause the most solemn and authentick Acts to be made that may be; that is to say, the Emperor and the King of the *Romans* when they shall ratify this present Treaty, and the most Serene Arch-Duke as soon as he shall come of age; which shall be deliver'd to his *Britannick* Majesty and the said States General.

VII.

Immediately after the Exchange and Ratification of this present Treaty, it shall be communicated to the Emperor, who shall be invited to enter therein; but if, after three months time from the

day of the said Communication and the said Invitation, or the day that his Catholick Majesty shall die, if it happen before the expiration of the said three months, his Imperial Majesty and the King of the *Romans* should refuse to enter thereinto, and to agree to the share assigned to the most serene Arch-Duke *Charles*; the two Kings or their Successors, and the States General, shall agree upon a Prince to whom that part shall be given: and in case, notwithstanding the present Convention, the most serene Arch-Duke shall take possession either of the Part which might fall to him, before he has accepted the present Treaty, or of that Part which might be assign'd to Mons. *Dauphin*, or to him who shall have the Dutchy of *Milan* in exchange, as abovesaid, the said two Kings and the States General by virtue of this Convention, shall hinder him with all their Forces.

VIII.

The most serene Arch-Duke shall not pass into *Spain*, nor into the Dutchy of *Milan*, during the Life of his Catholick Majesty, but with common consent, and not otherwise.

IX.

If the most serene Arch-Duke should dy without Children, either before or after the Death of the Catholick King, the share which is hereby assigned to him by the Articles of this Treaty, shall come to such Male Child of the Emperor, or &c. except the King of the *Romans*, or such Children, Males, or &c. of the King of the *Romans*, which his Imperial Majesty shall think fit to assign it to: And in case his said Imperial Majesty should die without having made the abovesaid Assignment, it may be done by the King of the *Romans*; but on condition that the said part shall never be united nor belong to the Person of him who shall be Emperor or King of the *Romans*, or is become one or the other, be it by Succession, Will, Contract of Marriage, Donation, Exchange, Cession, Appeal, Revolt, or otherways: And in like manner the said share of the serene Arch-Duke shall never come or belong to the person of a Prince that shall be King or *Dauphin* of *France*, or that is become one of the other,

other, be it by Succession, Will, Contract of Marriage, Donation, or otherwise.

X.

The King of *Spain* dying without Children, and the abovesaid Case happening, the two Kings, and the States General, do oblige themselves to leave the whole Succession in the same state as it shall then be, without seizing the whole or any part directly or indirectly; but each Prince immediately may put himself in possession of what is assigned him as his share, as soon as he has fulfil'd on his part the 4th and 6th preceding Articles; and in case of difficulty, the two Kings, and the States General shall do their utmost endeavours, to the end that each one shall be put in possession of his part according to this Agreement; and that it may have its entire effect, engage themselves to give by Sea and Land such help and assistance of Men and Ships as shall be necessary to constrain by force such who shall oppose the said Execution.

XI.

If the abovesaid Kings and States General, or either of them be attack'd because of this Convention, or of the Execution that shall be thereof made, they shall mutually assist one another with all their Forces, and render themselves Guarantees of the abovesaid Convention, and of the Renunciations made thereupon.

XII.

All Kings, Princes, and States, that will enter into the same, shall be admitted into the present Treaty: and it shall be lawful to the two Kings, and States General, and to each of them in particular, to require and invite all that they shall think fit to enter into this present Treaty, and to be jointly Guarantees for the execution thereof, and of the validity of the Renunciations herein contained.

XIII.

And for the further securing the Peace of *Europe*, the said Kings, Princes and States shall not only be invited to be Guarantees of the execution of the present Treaty, and of the validity of the Renunciations,

tions, as above, but if any one of the Princes, in favour of whom the Shares are assigned, do in time to come break the Order established by this Treaty, and begin new Enterprises contrary to the same, and so aggrandize himself at the expence of one or other, under any pretence whatsoever; the Guaranty of this Treaty shall be understood to extend so far also in this case, that all the Kings, Princes and States who promise the same, shall be obliged to employ their Forces against such Enterprises, for the maintaining all things in the same condition as agreed to by the said Articles.

XIV.

In case any Prince whatsoever oppose the taking possession of the Shares agreed on, the said two Kings, and the States, shall be obliged to assist one another against such opposition, and to hinder it with all their Forces; and shall agree, after the signing this present Treaty, on the Proportion that each shall contribute both by Sea and Land.

XV.

The present Treaty, and all Acts made, or that have dependance thereupon, and especially the solemn Acts that his most Christian Majesty and Monseigneur the *Dauphin* are obliged to give, by virtue of the 4th Article aforesaid, shall be registered in the Parliament of *Paris*, according to the Form and Tenure, and usual Custom, to have place amongst the Conditions therein contained, as soon as the Emperor has entered into the present Treaty, or at the end of three Months that are allowed him for that purpose, in case he does not enter into it sooner: And likewise his Imperial Majesty, when he enters into the same, shall be obliged to get it approved and registred, with all the Acts made in consequence thereof, or which have relation thereunto; especially the solemn Acts which his Imperial Majesty, the King of the *Romans*, and the most serene Arch-Duke shall be oblig'd to give, by virtue of the 6th Article aforesaid, in the Council of State or otherwise, according to the most authentick Form of the Country.

XVI. The

The Ratifications of the two Kings, and the States General, shall be all three exchange'd at *London* at the same time, within the space of three Weeks, reckoning from the day that the States General shall have signed, or sooner, if possible. Done and signed at *London*, ^{3 March N. S. 1700.} _{21 Febr. V. S. 1699.} by us Plenipotentiaries of *France* and *England*; and at the *Hague*, the 25th of the said Month of *March*, 1700. by us Plenipotentiaries of *France*, and of the States General, the two Kings and the said States General having agreed that the signing of this present Treaty should be performed in this manner. In witness whereof we have signed the said present Treaty with our Hands, and caused the Seals of our Arms to be affixed.

Signed, *Tallard*, *Briord*, *Portland*, *Jersey*, *J. van Erfen*, *F. B. de Reede*, *A. Heinsius*, *W. de Nassau*, *E. de Weede*, *W. van Haren*, *Ar. Lemker van Heek*, with their Seals.

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